

RESOLUTION

AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT WITH CCM CONTRACTING, INC. CONCERNING THE COMPLETION OF THE ROAD IMPROVEMENT PROJECT KNOWN AS BWT 2021-4 ROADWAY IMPROVEMENT PROJECT – CAMBRIDGE LANE, MARK DRIVE, MUIRFIELD LANE AND TOK PLACE

WHEREAS, on or about July 19, 2021, the Township of Bridgewater awarded a construction contract for the road improvement project known as BWT 2021-4 Roadway Improvement Project – Cambridge Lane, Mark Drive, Muirfield Lane and Tok Place (“the Project”) through the public bidding process described under the Local Public Contracts Law, N.J.S.A. 11-1 et seq, to CCM Contracting LLC (“the Contractors”); and

WHEREAS, as a result of multiple delays in the construction of the Project that were the result of inattentiveness on the part of the Contractor, the Township declared the Contractor in breach of contract and in default of its obligations thereunder on February 8, 2022; and

WHEREAS, the Contractor has offered a proposed settlement where they will complete the Project to the satisfaction of the Township Engineer by April 15, 2022 and will likewise accept a one-year ban on bidding on any other road construction project submitted for public bid by the Township; and

WHEREAS, the Township takes very seriously the project schedules and completion dates submitted by each road construction contractor and will unequivocally hold contractors accountable to these project schedules and completion dates in every such project undertaken by the Township; and

WHEREAS, the Contractor’s one-year ban represents a significant financial loss to that Contractor and ensures the Township will be compensated for the undue delay in completing this important road improvement project.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, that the Mayor is hereby authorized to execute the attached Memorandum of Understanding and Agreement to settle the Township’s claim against CCM Contracting, Inc., under the terms stated above and therein.

BE IT FURTHER RESOLVED, that Matthew C. Moench, Mayor, Michael Pappas, Township Administrator, William Burr, Township Engineer, Christopher Corsini, Township Attorney, and any other appropriate Township official shall execute the Township’s responsibilities under this Memorandum of Understanding and Agreement.

Introduced	Seconded	Council	Aye	Nay	Abstain	Absent
	✓	Kirsh	✓			
		Norgalis				✓
		Pedroso	✓			
✓		Ring	✓			
		Kurdyla	✓			

Adopted: March 17, 2022

I, Grace Njuguna, RMC, Deputy Municipal Clerk of the Township of Bridgewater, County of Somerset, and the State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Bridgewater Township Council at a duly convened meeting held on March 17, 2022

Signed: 